

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR S-03-104 MCE GGH P
)	
Respondent,)	<u>ORDER</u>
)	
v.)	
)	
CY IRVING BROWN,)	
)	
Movant.)	
_____)	

By Order filed on December 4, 2007, respondent was directed to respond to the motion brought pursuant to 28 U.S.C. § 2255. On January 8, 2008, the undersigned granted the respondent's request for additional time to respond, until March 4, 2008. See Order, filed on January 8, 2008. Thereafter, respondent filed, on February 26, 2008, a motion for an order finding waiver of attorney client privilege, mistakenly directed to Judge England and appearing to set a hearing on the motion for March 19, 2008, even though movant proceeds in this matter pro se. Now respondent seeks an additional 60-day extension of time to file its response so that the district court may first have an opportunity to consider the government's Feb. 26, 2008 motion for an order finding waiver of attorney client privilege, unsealing court documents, and requiring disclosures from prior counsel.

Accordingly, IT IS ORDERED:

1. To the extent that respondent has set the Feb. 26, 2008, motion for a hearing on

1 March 19, 2008 on the court's calendar, any such hearing is vacated;

2 2. Movant has thirty days (30) from the date of this order to file either an
3 opposition or, within that same period, to stipulate to a waiver of attorney client privilege
4 regarding specified areas and/or to the unsealing of certain sealed documents;

5 3. If movant elects to oppose the motion, respondent will have fifteen (15) days to
6 file a reply to any timely opposition, after which the motion will be deemed submitted;

7 4. Respondent is granted an additional extension of time of 60 days to file a
8 response to the § 2255 motion.

9 DATED: 03/10/08

/s/ Gregory G. Hollows

United States Magistrate Judge

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